

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: April 21, 2004

Division: Clerk's Office

Bulk Item: Yes X No

AGENDA ITEM WORDING: Consideration by the Board to rescind approval of a Resolution to repeal BOCC Resolution No. 211-2003 (Planning Service Fee Schedule) and approve a proposed new Planning Service Fee Schedule Resolution adding fees concerning the review of costs associated with Developments of Regional Impact (DRI), Development Agreements, and Plat approvals and correcting minor errors in Resolution No. 211-2003.

ITEM BACKGROUND: Item (M1) was approved at the October 15, 2003 Board meeting, but never received by the Clerk for execution. County Attorney's Office advised that this item should have been approved in the form of an Ordinance.

DIVISION DIRECTOR APPROVAL:

Danny L. Kolhage by: ied
Danny L. Kolhage, Clerk

DOCUMENTATION:

Included X To Follow Not Required

AGENDA ITEM NO. Q7

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: October 15, 2003

Division: Growth Management

Bulk Item: Yes X No

Department: Planning

AGENDA ITEM WORDING:

Approval of a resolution to repeal BOCC Resolution NO.211-2003 (Planning Service Fee Schedule) and approve a proposed new Planning Service Fee Schedule resolution adding fees concerning the review costs associated with Developments of Regional Impact (DRI), Development Agreements, and Plat Approvals and correcting minor errors in Resolution NO. 211-2003.

ITEM BACKGROUND:

The current fee schedule was approved by resolution of the Board of County Commissioners on June 18, 2003 (BOCC Resolution NO. 211-2003).

In that Resolution, there was no fee included for the costs associated with Developments of Regional Impact (DRI), Development Agreements, and Plat Approvals. Additionally, some minor changes are made in the arrangement of the Schedule and corrections were made concerning the addition of mailing and advertising costs. The hourly charges for certain reviews was changed to a single average cost for the service. This was recommended in order to provide applicants with a cost-certain. An exemption from fees is included for Special Accessibility Setback Variances.

PREVIOUS RELEVANT BOCC ACTION: Resolution 211-2003 was approved June 18, 2003.

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval

TOTAL COST: N/A

BUDGETED: Yes N/A No

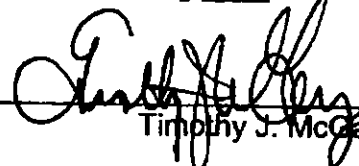
COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No **AMOUNT PER MONTH** N/A **Year**

APPROVED BY: County Atty X OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:


Timothy J. McGarry, AICP

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM # 11

MEMORANDUM

TO: Board of County Commissioners

FROM: Fred Gross, Director of Lower Keys Planning Team *FG*

Date: September 23, 2003

SUBJECT: **Revised Increases of Department of Planning Fees for Services**

I. Proposal

BOCC Resolution No. 364-1992 established the fee schedule that had been in place for 11 years, this fee schedule was never updated. During those 11 years, there have been 7 amendments adding new services to the fee schedule. Moreover, since the original fee schedule was approved by the BOCC, the Consumer Price index has increased by over 40 percent and the average hourly pay rate of the planning staff has increased significantly.

The fee schedule which was approved in 1992, was based on the estimated costs to administer, process, review, and approve the average application or request within each category. Today, that fee schedule no longer reflects the true cost of providing services to those persons requesting the Planning Department's services.

The Growth Management Division planning staff reviewed the costs for planning services and proposed a schedule that more closely reflects the present day costs. The BOCC, on June 18, 2003, approved Resolution 211-2003 providing for an increase of planning application and service fees across-the-board.

In approving Resolution 211-2003, the cost of services for *Plat Approvals* and *Development Agreements* was inadvertently omitted. These charges had been included in the original 1992 resolution and applicants have always been charged for these services. The charges in the 1992 resolution were adjusted by the same cost-of-living increase that was used in the determination of all other charges and are hereby included in this proposed resolution..

Developments of Regional Impacts (DRI) - A DRI is a development, which, because of its character, magnitude, or location would have a substantial effect upon the health, safety, or welfare of citizens of the region. The DRI process is governed by Chapter

380.06, Florida Statutes ("F.S.") and Rules 9J-2.001 through, 9J-2.0256, Florida Administrative Code ("F.A.C.").

There are 14 types of development, which may be DRI's if they exceed certain numerical thresholds. The types of development include airports, hospitals, mines, hotels, marinas, industrial, office and retail uses, residential projects and multi-use developments. The types and numerical thresholds are identified in Section 380.0651, F.S., and Chapter 28-24, F.A.C.

The proposed Base Fee is only for development approval, which includes staff review and public hearings of the projects. Upon receipt of the sufficiency notification from the South Florida Regional Planning Council, the Planning Department gives notice and holds public hearings on the application in the same manner as for a rezoning, except that such hearing proceedings shall be recorded by tape or a certified court reporter and made available for transcription at the expense of any interested party. As a result, in Monroe County, a DRI project is heard by DRC, the Planning Commission, and the BOCC. The Base fee also includes published newspaper ads and review by Fire Marshal.

In determining the fee schedule for a DRI, as was done and approved in the 1992 resolution, the charges were based on the estimated costs to administer, process, review, and approve an average DRI application. Due to the complexity of DRI's, additional fees may apply that are excluded from the Base fee. Additional fees may be charged for Preliminary and Final Development Agreements, Comprehensive Plan Amendments, Plat Approval, Consultant Fees, reviews by other agencies, and Major or Minor deviations.

Finally, some minor changes have been made in the arrangement of the Schedule and corrections were made concerning the addition of mailing and advertising costs, and hourly fee schedules. The Planning Department is requesting that these changes and appropriate fees be included in order to reflect the additional costs. The proposed fee schedule is presented in the attached draft resolution for consideration by the Board of County Commissioners.

II. Recommendation

The Growth Management Division planning staff has reviewed the costs for providing these planning services and proposed these fees to reflect the present day cost.

The Planning Department Staff recommends **APPROVAL** of this resolution.

RESOLUTION NO. -2003

A RESOLUTION REPEALING RESOLUTION NO. 211-2003 AND ALL AMENDMENTS, AND ANY OTHER PREVIOUS FEE SCHEDULES INCONSISTENT HERewith, AND AMENDING THE PLANNING DEPARTMENT FEE SCHEDULE TO MORE EFFECTIVELY REPRESENT THE CURRENT COSTS REQUIRED TO ADEQUATELY OFFSET THE TRUE COSTS OF PROVIDING SUCH SERVICE TO THE PARTIES RECEIVING THE BENEFITS OF DEVELOPMENT APPROVAL, AND THUS, FURTHER REDUCING THE BURDEN CURRENTLY BEING BORNE BY THE TAXPAYERS AT LARGE.

WHEREAS, the Monroe County Board of County Commissioners wish to provide the citizens of the County with the best possible service in the most cost effective and reasonable manner; and

WHEREAS, we find that it would be in the best interests of the general public to charge the true cost for such services, thereby placing the burden of such costs directly upon those parties deriving the benefit; and

WHEREAS, the Director of Planning and Development has demonstrated that the changes recommended to the existing fee schedule reflect the true cost of providing the services to the parties requesting the Planning Department services; and

WHEREAS, Resolution NO. 211-2003 adopted by the BOCC did not include the costs for review of Developments of Regional Impact (DRI), Development Agreements or Plat Approval; and

WHEREAS, the charge for review of DRI's, Development Agreements, and Plat Approvals is hereby included; and

WHEREAS, after hearing testimony and evidence presented as to the appropriate fee schedule; and

WHEREAS, we concur with the conclusions and findings of the Planning Director and adopt them as our own, **NOW THEREFORE**,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

SECTION 1. Pursuant to Monroe County Code, the following planning fee schedule shall be the effective fee schedule for all planning permits, environmental resource permits, and any special fees required by the Monroe County Land Development Regulations:

Alcoholic Beverage Application *	\$1350.00
Appeal Application *, **	1000.00
Minor Conditional Use Application	4390.00
Amendment to <u>a Minor Conditional Use*</u>	2590.00
Amendment to a Minor Conditional Use* <i>Change in Intensity and/or less than 1000 SF</i>	1850.00
Minor Conditional Use Historic Site	280.00
Minor Deviation to a Conditional Use	100.00
<u>Major Conditional Use Application</u>	5390.00
<u>Amendment to a Major Conditional Use Application</u>	<u>5390.00</u>
<u>Development of Region Impact (DRI)</u> <i>Base Fee</i>	<u>9780.00</u>
<u>Development Agreement</u> <i>More than 5 acres</i>	<u>6000.00</u>
<u>Development Agreement</u> <i>Less than 5 acres</i>	<u>4000.00</u>
Home Occupation Application	250.00
Land Development Regulation Text Amendment	2590.00
Land Use District Map Amendment (Commercial) <i>Without Comprehensive Plan Map Amendment</i>	3090.00
Land Use District Map Amendment (Residential) <i>Without Comprehensive Plan Map Amendment</i>	2090.00
Comprehensive Plan Map Amendment (Non-Residential) <i>Including Land Use Map Amendment</i>	3590.00

Comprehensive Plan Map Amendment (Residential) <i>Including Land Use Map Amendment</i>	2590.00
Comprehensive Plan Text Amendment	2590.00
<u>Plat Approval (more than 5 lots)</u>	<u>5,390.00</u>
<u>Plat Approval (less than 5 lots)</u>	<u>4390.00</u>
Sign Variance	700.00
Transfer of Development Rights	700.00
Variance*	1330.00
Variance (Administrative)	750.00
<u>Special Accessibility Setback Variance</u>	<u>No Fee</u>
Beneficial Use Application	1000.00
Vested Rights	700.00
Pre-Application Conference with Letter of Understanding	500.00
Pre-Application Conference with Letter of Understanding <i>With Site Visit</i>	600.00
Dwelling Unit Allocation System Application (ROGO) <i>No fee for Affordable Housing</i>	200.00
Commercial Allocation System Allocation (NROGO)	500.00
Commercial Use Allocation System (NROGO)	500.00
Biologist Site Visit (per visit)	100.00
Boundary Determination	500.00
Wetland Delineation (no letter)	250.00
Wetland Delineation (per-hour)	60.00 <u>300.00</u>
Habitat Evaluation Index (per-hour)	60.00 <u>180.00</u>
Letter of Buildability (With Site Visit)	350.00

Letter of Buildability (Without Site Visit)	175.00
Vacation Rental Determination	245.00
Vacation Rental Renewal	50.00
Vacation Rental Managers Fee	35.00
Research for Permitting History (per hour minimum)	50.00 hr.

~~*\$3.00~~ per property owner notice.

~~**\$245.00~~ fee for newspaper advertisement

Strike through text is deleted	<u>Underlined text</u> is added
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Section 2. Resolution No. 211-2003 and all amendments hereto are hereby repealed.

Section 3. The Clerk of the Board is hereby directed to forward one (1) certified copy of this Resolution to the Division of Growth Management.

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PASSED and ADOPTED at a regular meeting of the Board of County Commissioners of Monroe County, Florida, held on the ____ day of _____, 2003.

Mayor Dixie M. Spehar
Mayor Pro Tem Murray E. Nelson
Commissioner Charles "Sonny" McCoy
Commissioner George Neugent
Commissioner David Rice

(SEAL)

Attest: Danny L. Kolhage

Board of County Commissioners
of Monroe County, Florida

By _____
Mayor/Chairman

By _____
Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AND FORW:
[Signature]
ROBERT N. WOLFE
CHIEF ASSISTANT COUNTY ATTORNEY
Date: 9-25-03